

Senate Study Bill 3158 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

1 An Act relating to emergency response services by authorizing
2 the establishment of benefited emergency response districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 28E.31, subsection 4, Code 2016, is
2 amended to read as follows:

3 4. For purposes of [this section](#), "*municipality*" means a
4 city, county, township, benefited fire district, benefited
5 emergency response district, or agency formed under this
6 chapter and authorized by law to provide emergency services.

7 Sec. 2. Section 28E.32, subsection 4, Code 2016, is amended
8 to read as follows:

9 4. For purposes of [this section](#), "*municipality*" means a
10 city, county, township, benefited fire district, benefited
11 emergency response district, or agency formed under this
12 chapter and authorized by law to provide emergency services.

13 Sec. 3. Section 28I.1, Code 2016, is amended to read as
14 follows:

15 **28I.1 Authority of governing bodies — joint commission.**

16 1. The governing bodies of two or more adjoining cities,
17 independently or together with the governing body or bodies of
18 the county or counties within which such cities are located, or
19 the governing bodies of two or more adjoining counties, or a
20 county and its major city or cities, or the governing bodies
21 of one or more counties together with the governing bodies
22 of one or more cities adjoining such county or counties, or
23 any of the above together with a school district, benefited
24 water district, benefited fire district, benefited emergency
25 response district, sanitary district, or any other similar
26 district which may be formed under an Act of the legislature
27 may cooperate in the creation of a joint planning commission
28 which may be designated to be a regional or metropolitan
29 planning commission, as agreed among the governing bodies.
30 The governing bodies of cities, counties, school districts,
31 or other governmental units may cooperate with the governing
32 bodies of the cities and counties or other authorized governing
33 bodies of any adjoining state or states in the creation of such
34 a joint planning commission where such cooperation has been
35 authorized by law by the adjoining state or states.

1 2. The joint planning commission shall be separate and
2 apart from the governmental units creating it, may sue and be
3 sued, contract for the purchase and sale of real and personal
4 property necessary for its purposes, and shall be a juristic
5 entity as the term is used in [section 97C.2, subsection 6](#).

6 Sec. 4. Section 28I.7, Code 2016, is amended to read as
7 follows:

8 **28I.7 Construction of provisions.**

9 Nothing in [this chapter](#) shall be construed to remove or
10 limit the powers of the cooperating cities, counties, school
11 districts, benefited water districts, benefited fire districts,
12 benefited emergency response districts, sanitary districts, or
13 similar districts as provided by state law. All legislative
14 power with respect to zoning and other planning legislation
15 shall remain with the governing body of the cooperative cities
16 and counties. Each participating city or county may continue
17 to have its own planning commission or board but may under the
18 joint agreement and in the interest of economy and efficiency
19 and in the interest of uniform standards and procedures,
20 request the metropolitan or regional planning commission to
21 assume duties and functions of local planning agencies in whole
22 or in part. The metropolitan or regional planning commission
23 shall have the duty and function of promoting public interest
24 and understanding of the economic and social necessity for
25 long-term coordinated planning for the metropolitan or regional
26 area, but its official recommendations shall be made to the
27 governing bodies of the cooperating cities, counties, school
28 districts, benefited water districts, benefited fire districts,
29 benefited emergency response districts, sanitary districts, or
30 similar districts.

31 Sec. 5. Section 85.61, subsection 2, paragraph a, Code 2016,
32 is amended to read as follows:

33 a. A person, firm, association, or corporation, state,
34 county, municipal corporation, school corporation, area
35 education agency, township as an employer of volunteer fire

1 fighters and emergency medical care providers only, benefited
2 fire district, benefited emergency response district, and the
3 legal representatives of a deceased employer.

4 Sec. 6. Section 85.61, subsection 10, Code 2016, is amended
5 to read as follows:

6 10. "*Volunteer fire fighter*" means any active member of
7 an organized volunteer fire department in this state and any
8 other person performing services as a volunteer fire fighter
9 for a municipality, township ~~or~~, benefited fire district, or
10 benefited emergency response district at the request of the
11 chief or other person in command of the fire department of
12 the municipality, township ~~or~~, benefited fire district, or
13 benefited emergency response district, or of any other officer
14 of the municipality, township ~~or~~, benefited fire district,
15 or benefited emergency response district having authority to
16 demand such service, and who is not a full-time member of a
17 paid fire department. A person performing such services shall
18 not be classified as a casual employee.

19 Sec. 7. Section 100B.21, subsection 5, Code 2016, is amended
20 to read as follows:

21 5. "*Municipality*" means a city, county, township, benefited
22 fire district, benefited emergency response district, or agency
23 authorized by law to provide emergency response services.

24 Sec. 8. Section 102.1, Code 2016, is amended to read as
25 follows:

26 102.1 Definition.

27 As used in [this chapter](#), "*fire department*" means the fire
28 department of a city, township, ~~or~~ benefited fire district, or
29 benefited emergency response district.

30 Sec. 9. Section 321.423, subsection 1, paragraph b, Code
31 2016, is amended to read as follows:

32 b. "*Fire department*" means a paid or volunteer fire
33 protection service provided by a benefited fire district or a
34 benefited emergency response district under [chapter 357B](#) or by
35 a county, municipality, or township, or a private corporate

1 organization that has a valid contract to provide fire
2 protection service for a benefited fire district, benefited
3 emergency response district, county, municipality, township,
4 or governmental agency.

5 Sec. 10. Section 357A.22A, Code 2016, is amended to read as
6 follows:

7 **357A.22A Rural fire protection program — liability.**

8 1. A rural water district or rural water association
9 incorporated under [this chapter](#) or [chapter 504](#) shall establish
10 a rural fire protection program which shall include, but is
11 not limited to, providing access to designated soft-hose fill
12 stations, providing annually or more often if necessary updated
13 maps of soft-hose fill stations to all fire departments within
14 the rural water service area, and sponsoring informational
15 meetings for all fire departments and interested parties within
16 the rural water service area for the purpose of reviewing
17 locations of facilities, operational procedures, communication
18 procedures and facilities, and procedures designed to
19 coordinate efforts to enhance rural fire protection.

20 2. A rural water district or rural water association
21 incorporated under [this chapter](#) or [chapter 504](#) which provides
22 water service to cities, benefited fire districts, benefited
23 emergency response district, or townships shall not be liable
24 for a claim against the district or association for failure to
25 provide or maintain fire hydrants, facilities, or an adequate
26 supply of water or water pressure for fire protection purposes
27 if the purpose of the hydrants, facilities, or water used is
28 not for fire protection.

29 Sec. 11. Section 357B.1, Code 2016, is amended to read as
30 follows:

31 **357B.1 Benefited fire districts continued.**

32 1. A benefited fire district established under [this chapter](#)
33 prior to July 1, 1975 shall provide fire protection within its
34 boundaries until it is dissolved as provided in [section 357B.5](#).
35 A benefited fire district shall not be established nor shall

1 the territorial boundaries of an established benefited fire
2 district be enlarged after June 30, 1975 except as provided in
3 section 357B.7.

4 2. A benefited fire district established pursuant to this
5 subchapter and in existence on July 1, 2016, may reorganize as
6 a benefited emergency response district pursuant to subchapter
7 II, and may choose to provide additional emergency response
8 services, when authorized by a majority vote of the electors of
9 the benefited fire district at an election held in compliance
10 with section 357B.208, and called for that purpose upon notice
11 given in the same manner as provided in section 357B.204.

12 Sec. 12. NEW SECTION. **357B.201 Definitions.**

13 For purposes of this subchapter, unless the context
14 otherwise requires:

15 1. "*Board*" means the board of supervisors of a county.

16 2. "*District*" means a benefited emergency response district
17 created under this chapter.

18 3. "*Emergency response services*" means fire protection
19 services, emergency medical services, and other emergency
20 services. "*Emergency response services*" does not include law
21 enforcement.

22 Sec. 13. NEW SECTION. **357B.202 Hearing on petition.**

23 1. The board shall, on the petition of ten percent of the
24 resident property owners in a proposed district, hold a public
25 hearing concerning the establishment of a proposed district.
26 The petition shall include a statement containing the following
27 information:

28 a. The proposed boundaries of the district to be served.

29 b. The approximate population in the district.

30 c. The personnel, equipment, and facilities proposed to
31 provide the emergency response services.

32 d. The emergency response services the district will provide
33 and the need for the services.

34 2. The board of supervisors may require a bond of the
35 petitioners conditioned for the payment of all costs and

1 expenses incurred in the proceedings in case the district is
2 not established.

3 Sec. 14. NEW SECTION. **357B.203 Extent of the district.**

4 This chapter authorizes a district to include one or more
5 adjoining townships or portions thereof and may include one
6 or more cities or portions thereof adjacent to participating
7 townships.

8 Sec. 15. NEW SECTION. **357B.204 Time and notice of hearing.**

9 The public hearing required in section 357B.202 shall be
10 held within sixty days of the filing of the petition with the
11 board. Notice of the hearing shall be given by publication in
12 two successive issues of any newspaper of general circulation
13 within the district. The last publication or posting shall not
14 be less than one week before the proposed hearing.

15 Sec. 16. NEW SECTION. **357B.205 Action of the board.**

16 After, and within ten days of, the hearing, the board shall
17 either establish the district by resolution or disallow the
18 petition.

19 Sec. 17. NEW SECTION. **357B.206 Engineer.**

20 1. When the board establishes a district, the board shall
21 appoint a competent disinterested civil engineer, who shall
22 prepare a preliminary plat showing all of the following:

23 a. The proper design in general outline of the district.

24 b. The lots and parcels of land within the proposed district
25 as such lots appear on the county auditor's plat books with the
26 names of the owners.

27 c. The assessed valuation of the lots and parcels.

28 2. The board shall determine the compensation for the
29 engineer's preliminary investigation.

30 3. The engineer shall file a report with the county auditor
31 within thirty days of appointment. The board may extend the
32 time upon good cause shown.

33 Sec. 18. NEW SECTION. **357B.207 Approval of report.**

34 After the engineer's report is filed, the board shall give
35 notice, as provided in section 357B.204, of a public hearing

1 concerning the engineer's plat. Within ten days after the
2 hearing, the board shall, by resolution, approve or disapprove
3 the engineer's plat.

4 Sec. 19. NEW SECTION. **357B.208 Election on proposed levy**
5 **and candidates for directors.**

6 1. When a preliminary plat has been approved by the board,
7 an election shall be held within the district within sixty
8 days of such approval to approve or disapprove the levy of a
9 tax of not more than one dollar sixty and three-fourths cents
10 per thousand dollars of assessed value on all taxable property
11 within the district and to choose directors for the board of
12 directors of the district.

13 2. Notice of the election, including the time and place of
14 holding the election, shall be given as provided in section
15 357B.204.

16 3. The ballot shall set out the reason for the tax and the
17 maximum levy rate that may be imposed. The proposition is
18 approved if sixty percent of those voting on the proposition
19 vote in favor of it.

20 4. It is not mandatory for the county commissioner of
21 elections to conduct elections held pursuant to this chapter,
22 but the elections shall be conducted in accordance with chapter
23 49 where not in conflict with this chapter. Judges shall
24 be appointed to serve without pay by the board from among
25 the registered voters of the district to be in charge of the
26 election.

27 5. At the initial election for directors, the voter shall
28 write the names of up to three directors on blank ballots
29 without formal nomination, and the board shall appoint three
30 from among the five receiving the highest number of votes as
31 directors for the district. One director shall be appointed
32 to serve for one year, one for two years, and one for three
33 years. The directors and their successors must be residents of
34 the district and shall give bond in the amount required by the
35 board, the premium of which shall be paid by the district.

1 6. Vacancies during a term shall be filled by election, but
2 if there are no candidates for a director office, the vacancy
3 may be filled by appointment by the board.

4 7. After the initial board of directors is selected, a
5 candidate for director shall be nominated by affidavit of
6 the candidate or by petition signed by at least ten eligible
7 electors of the district and the candidate's affidavit, which
8 shall be filed with the county commissioner of elections at
9 least twenty-five days before the date of the election. The
10 form of a candidate's affidavit shall be substantially the same
11 as provided in section 45.3.

12 8. Except as provided in subsection 5, each director shall
13 be elected for a three-year term.

14 Sec. 20. NEW SECTION. **357B.209 Powers and duties of the**
15 **board of directors.**

16 The board of directors may purchase, own, rent, or maintain
17 fire, emergency medical, or other emergency response apparatus
18 or equipment within the state or outside the territorial
19 jurisdiction and boundary limits of this state and provide
20 housing for such apparatus or equipment. The board of
21 directors may contract with any public or private agency under
22 chapter 28E for the purpose of providing emergency response
23 services under this subchapter. If approved at election under
24 section 357B.208, the board of directors may levy an annual
25 tax not exceeding one dollar and sixty and three-fourths cents
26 per thousand dollars of assessed value on all taxable property
27 within the district for the purpose of exercising the powers
28 granted in this section. The tax shall be set to raise only
29 the amount needed, as provided in the budget approved by the
30 directors. The board of directors may purchase material and
31 employ persons to provide for the maintenance and operation of
32 the district. The directors shall be allowed reimbursement for
33 any necessary expenses incurred in the performance of their
34 duties, but they shall not receive any other compensation for
35 their services.

1 Sec. 21. NEW SECTION. **357B.210 Anticipation of tax.**

2 The board of directors of a district may anticipate the
3 collection of taxes authorized under section 357B.209 and,
4 for the purpose of providing emergency response services, may
5 issue bonds payable in not more than ten equal installments
6 at an interest rate not exceeding that permitted by chapter
7 74A. Indebtedness shall not be incurred under this subchapter
8 until authorized by an election. The election shall be held
9 and notice given in the same manner as provided in section
10 357B.208, and the same sixty percent vote shall be necessary to
11 authorize the indebtedness. Both propositions may be submitted
12 to the voters at the same election. The bonds shall be in
13 such form and payable at such time and place as specified
14 by resolution of the board of directors. The provisions of
15 sections 73A.12 to 73A.16 and chapter 384 shall apply to such
16 bonds to the extent applicable.

17 Sec. 22. NEW SECTION. **357B.211 Dissolution of district.**

18 Upon petition of a number of resident eligible electors
19 in a district equal to at least thirty-five percent of the
20 property taxpayers in the district, the board of supervisors
21 may dissolve a district and dispose of any remaining property,
22 the proceeds of which shall first be applied against any
23 outstanding obligation of the district. Any remaining balance
24 shall be applied as a property tax credit for the property
25 owners of the district. The board of supervisors shall
26 continue to levy an annual tax during the time the district is
27 being dissolved and after the dissolution of a district, not
28 to exceed twenty-seven cents per thousand dollars of assessed
29 value of the taxable property of the district, until all
30 outstanding obligations of the district are paid.

31 Sec. 23. NEW SECTION. **357B.212 Petition by outside owners**
32 **to be included — fee.**

33 1. The owner of any property in an unincorporated area
34 contiguous to the boundaries of an established district may
35 petition the board to be included in the district. Upon

1 receipt of the petition, the board shall submit the request to
2 a competent disinterested civil engineer to investigate the
3 feasibility of adding the additional territory and to make a
4 report to the board. If the board agrees that the property
5 should be added to the district, the tax levy for the next
6 year shall be applied to the property and on the first day
7 of the next fiscal year the property shall become a part of
8 the district. If the district lies in more than one county
9 the joint action of the boards involved is required to add
10 additional territory.

11 2. The owner of any property joining an established district
12 shall pay to the directors of the district an initial fee to be
13 computed as follows:

14 a. The directors shall first determine fair market value of
15 all property and improvements owned by the district, less any
16 indebtedness.

17 b. The board shall then determine the assessed value of all
18 property in the district which is not assessed as agricultural
19 land. This shall be divided into the value determined in
20 paragraph "a".

21 c. The board shall determine the assessed value of the
22 property of each landowner joining the established district
23 which is not assessed as agricultural land.

24 d. The result obtained in paragraph "b" shall be multiplied
25 by the result obtained in paragraph "c". The result shall be
26 the initial fee to be charged each landowner.

27 3. The initial fees paid to the directors shall be used
28 to help defray the cost and maintenance of the district's
29 emergency response services.

30 **Sec. 24. NEW SECTION. 357B.213 Transition — city, township**
31 **and emergency medical services district — responsibility for**
32 **services — taxes discontinued.**

33 1. When the boundary lines of the district include a city,
34 such city shall not be responsible for providing emergency
35 response services as required by section 364.16 for services

1 provided by the district. The city shall have no liability for
2 the method, manner, or means by which the district provides
3 emergency response services.

4 2. When the boundary lines of the district include all or
5 a portion of a township and the district has certified a tax
6 levy within the township for the purpose of fire protection
7 services, the township trustees shall no longer levy the tax
8 authorized in section 359.43 in that portion of the township
9 provided fire protection services by the district. Any
10 indebtedness incurred for the purposes of sections 359.42
11 through 359.45 for a service now provided by the district
12 shall be assumed by the district. Such township shall not be
13 responsible for providing the emergency response services as
14 required by section 359.42 for emergency response services now
15 provided by the district for the portion of the township within
16 the district, and shall have no liability for the method,
17 manner, or means by which the district provides the emergency
18 response services.

19 3. When the boundary lines of a district providing emergency
20 medical services include all or a portion of an emergency
21 medical services district under chapter 357F or chapter 357G
22 and the district has certified a tax to be levied on property
23 located within the emergency medical services district for the
24 purpose of providing emergency medical services, the emergency
25 medical services district trustees shall no longer levy the
26 taxes authorized in section 357F.8 or section 357G.8 in that
27 portion of such emergency medical services district that is
28 provided emergency medical services by the emergency response
29 district.

30 4. When the boundary lines of the district include all or
31 a portion of an emergency response district created pursuant
32 to chapter 357J and the district has certified a tax levy
33 within the chapter 357J emergency response district, the
34 emergency response district commission shall no longer levy
35 the tax provided by section 357J.10 in that portion of the

1 emergency response district for the same services provided
2 by a benefited emergency response district created pursuant
3 to this subchapter. The emergency response district created
4 pursuant to chapter 357J shall not be responsible for providing
5 the emergency response services as required by section 359.42
6 for emergency response services now provided by the district
7 for the portion of the emergency response district within the
8 district, and shall have no liability for the method, manner,
9 or means by which the district provides the emergency response
10 services.

11 Sec. 25. NEW SECTION. **357B.214 Emergency medical districts**
12 **within a district.**

13 Notwithstanding sections 357F.12 and 357G.12, when the
14 boundary lines of a district providing emergency medical
15 services include all of an emergency medical services district
16 formed pursuant to chapter 357F or 357G, the emergency medical
17 services district shall be dissolved. Any remaining property
18 and balance of assets and liabilities shall be transferred to
19 the district. The district shall assume all of the outstanding
20 obligations of the emergency medical services district.

21 Sec. 26. Section 359.42, Code 2016, is amended to read as
22 follows:

23 **359.42 Township fire protection service, emergency warning**
24 **system, and emergency medical service.**

25 Except as otherwise provided in [section 331.385](#), the
26 trustees of each township shall provide fire protection service
27 for the township, exclusive of any part of the township within
28 a benefited fire district or benefited emergency response
29 district providing fire protection services and may provide
30 emergency medical service. The trustees may purchase, own,
31 rent, or maintain fire protection service or emergency medical
32 service apparatus or equipment or both kinds of apparatus or
33 equipment and provide housing for the equipment. The trustees
34 of a township which is located within a county having a
35 population of three hundred thousand or more may also establish

1 and maintain an emergency warning system within the township.
2 The trustees may contract with a public or private agency under
3 chapter 28E for the purpose of providing any service or system
4 required or authorized under [this section](#).

5 Sec. 27. Section 359.43, subsection 1, Code 2016, is amended
6 to read as follows:

7 1. The township trustees may levy an annual tax not
8 exceeding forty and one-half cents per thousand dollars
9 of assessed value of the taxable property in the township,
10 excluding property within a benefited fire district or
11 benefited emergency response district providing fire protection
12 services or within the corporate limits of a city, for
13 the purpose of exercising the powers and duties specified
14 in [section 359.42](#). However, in a township having a fire
15 protection service or emergency medical service agreement or
16 both service agreements with a special charter city having a
17 paid fire department, the township trustees may levy an annual
18 tax not exceeding fifty-four cents per thousand dollars of
19 the assessed value of the taxable property for the services
20 authorized or required under [section 359.42](#) and in a township
21 which is located within a county having a population of three
22 hundred thousand or more, the township trustees may levy an
23 annual tax not exceeding sixty-seven and one-half cents per
24 thousand dollars of assessed value of taxable property for the
25 services authorized or required under [section 359.42](#).

26 Sec. 28. Section 359.49, subsection 2, Code 2016, is amended
27 to read as follows:

28 2. By January 15 of each year, each township fire department
29 in the township shall provide to the board of trustees a
30 proposed budget showing all revenues and all expenses for
31 emergency services for the next fiscal year. By January 15 of
32 each year, each township fire department, and each municipal
33 fire department providing emergency services to a township,
34 shall submit to the board of trustees a report detailing
35 emergency services calls for the prior calendar year for the

1 fire district and a copy of the fire report filed by the fire
2 department with the state fire marshal's office. For purposes
3 of this subsection, "*municipal*" means relating to a city,
4 county, township, benefited fire district, benefited emergency
5 response district, or chapter 28E agency authorized by law to
6 provide emergency services.

7 Sec. 29. Section 359.49, subsection 8, paragraph b, Code
8 2016, is amended to read as follows:

9 b. For purposes of this subsection, "*municipality*" means
10 a city, county, township, benefited fire district, benefited
11 emergency response district, or agency formed under chapter 28E
12 and authorized by law to provide emergency services.

13 Sec. 30. Section 422.12, subsection 1, paragraph f,
14 subparagraph (1), Code 2016, is amended to read as follows:

15 (1) The individual is an active member of an organized
16 volunteer fire department in this state or is performing
17 services as a volunteer fire fighter for a municipality,
18 township, ~~or~~ benefited fire district, or benefited emergency
19 response district at the request of the chief or other
20 person in command of the fire department of the municipality,
21 township, ~~or~~ benefited fire district, or benefited emergency
22 response district, or of any other officer of the municipality,
23 township, ~~or~~ benefited fire district, or benefited emergency
24 response district having authority to demand such service. A
25 person performing such services shall not be classified as a
26 casual employee.

27 Sec. 31. Section 452A.17, subsection 1, paragraph a,
28 subparagraph (3), Code 2016, is amended to read as follows:

29 (3) A regional transit system, the state, any of its
30 agencies, any political subdivision of the state, or any
31 benefited fire district or benefited emergency response
32 district which is used for a purpose specified in section
33 452A.57, subsection 11, or for public purposes, including fuel
34 sold for the transportation of pupils of approved public and
35 nonpublic schools by a carrier who contracts with the public

1 school under [section 285.5](#).

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill relates to emergency services by authorizing the
6 establishment of benefited emergency response districts to
7 provide emergency response services, including fire protection
8 services, emergency medical services, and other emergency
9 service, excluding law enforcement.

10 Under the bill, a county board of supervisors shall, on
11 the petition of 10 percent of the resident property owners
12 in a proposed district, hold a public hearing concerning the
13 establishment of a proposed district. The bill specifies
14 the contents of the petition and authorizes the board of
15 supervisors to require a bond from the petitioners. The
16 bill authorizes a district to include one or more adjoining
17 townships or portions thereof and may include one or more
18 cities or portions thereof adjacent to participating townships.

19 The bill requires the public hearing to be held within 60
20 days of the filing of the petition with the board and specifies
21 the notice requirements for such hearing. After, and within
22 10 days of, the hearing, the board of supervisors shall either
23 establish the district by resolution or disallow the petition.
24 When the board establishes a district, the board shall appoint
25 a competent disinterested civil engineer, who is required to
26 prepare a preliminary plat for the district. The engineer
27 must file a report with the county auditor within 30 days
28 of appointment. After the engineer's report is filed, the
29 board of supervisors must hold a public hearing concerning the
30 engineer's plat. Within 10 days after the hearing, the board
31 shall, by resolution, approve or disapprove the engineer's
32 plat.

33 Under the bill, when a preliminary plat has been approved
34 by the board of supervisors, an election shall be held within
35 the district within 60 days of such approval to approve or

1 disapprove the levy of a tax not to exceed \$1.60 and 3/4 cents
2 per \$1,000 of assessed value and to choose directors for the
3 board of directors of the district. Except for the initial
4 board of directors, each director shall be elected for a
5 three-year term.

6 The bill specifies the powers and duties of the board
7 of directors including the ability to purchase, own, rent,
8 or maintain fire, emergency medical, or other emergency
9 response apparatus or equipment within the state or outside the
10 territorial jurisdiction and boundary limits of this state and
11 provide housing for such apparatus or equipment. The board
12 of directors may levy an annual tax not exceeding \$1.60 and
13 3/4 cents per \$1,000 of assessed value on all taxable property
14 within the district. The tax shall be set to raise only
15 the amount needed, as provided in the approved budget. The
16 board of directors may purchase material and employ persons
17 to provide for the maintenance and operation of the district.
18 The directors shall be allowed reimbursement for any necessary
19 expenses incurred in the performance of their duties, but they
20 shall not receive any other compensation for their services.
21 The bill also authorizes the board of directors of a district
22 to anticipate the collection of taxes and, for the purpose of
23 providing emergency response services, issue bonds if approved
24 at election.

25 Upon petition of a number of resident eligible electors in a
26 district equal to at least 35 percent of the property taxpayers
27 in the district, the board of supervisors may dissolve a
28 district and dispose of any remaining property, the proceeds of
29 which shall first be applied against any outstanding obligation
30 of the district. Any remaining balance shall be applied as a
31 tax credit for the property owners of the district. The board
32 of supervisors shall continue to levy an annual tax during the
33 time the district is being dissolved and after the dissolution
34 of a district, not to exceed 27 cents per \$1,000 of assessed
35 value of the taxable property of the district, until all

1 outstanding obligations of the district are paid.

2 The bill establishes provisions for the addition of property
3 to the district and the imposition of a fee for inclusion of
4 such property. The bill also provides for the transition of
5 existing emergency response services from cities, townships,
6 and other special districts to a newly formed benefited
7 emergency response district and for the reorganization of a
8 benefited fire district under Code chapter 357B if approved at
9 election.

10 The bill includes corresponding changes to other provisions
11 of law relating to the joint exercise of governmental power
12 under Code chapter 28E, metropolitan and regional planning
13 commissions under Code chapter 28I, workers' compensation under
14 Code chapter 85, fire and emergency response services training
15 under Code chapter 100B, fire scenes under Code chapter 102,
16 and the definition of "fire department" under Code chapter 321
17 similar to those in effect for benefited fire districts under
18 Code chapter 357B.